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18 Wells Fargo Bank, N.A.

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

21 LATASHA McLAUGHLIN, on behalf of  
22 herself and all others similarly situated,

23 Case No.: 3:15-cv-02904-WHA

24 **CORRECTED STIPULATED REQUEST  
25 FOR ORDER TO RESET CERTAIN  
26 DEADLINES; AND [PROPOSED] ORDER**

27 Plaintiff,

28 Honorable William H. Alsup

vs.

WELLS FARGO BANK, N.A., d/b/a WELLS  
FARGO HOME MORTGAGE,

Defendant.

Case No. 3:15-cv-02904-WHA

STIPULATED REQUEST FOR ORDER TO RESET CERTAIN DEADLINES;  
AND [PROPOSED] ORDER

## **STIPULATION**

Plaintiff Latasha McLaughlin and Defendant Wells Fargo Bank, N.A., by and through their respective counsel, stipulate as follows:

WHEREAS, under the Court's Notice [Dkt. 17], the parties were precluded from discussing a class settlement until the Court ruled on class certification;

WHEREAS, on June 22, 2016, the Court issued an order certifying two classes under TILA [Dkt. 123] and set deadlines of July 12, 2016 for a joint notice plan to be submitted to the court, and to plan to distribute class notice by July 28, 2016;

WHEREAS, the litigation to date has largely joined the merits and class certification issues, and framed the parties' positions. Therefore following the Court's ruling on class certification, which opened the door to engage in settlement discussions, the parties promptly began negotiations and held a telephone settlement conference with Magistrate Judge Ryu on June 30, 2016;

WHEREAS, the parties will attend an in-person mediation with Magistrate Judge Ryu on August 5, 2016 at 10:00 am;

WHEREAS, the Court’s Scheduling Order [Dkt. 37], issued in October 2015, originally set a class certification hearing for February 2016 and discovery deadlines in August 2016. The Order thus contemplated approximately 6 months from the issuance of an order on class certification until the discovery cutoff, for the parties to discuss a class resolution. Because class certification was not ruled on until June 22, 2016, however, the time available for the parties to meaningfully discuss resolution is now substantially shorter.

WHEREAS, the parties are presently engaging in good faith settlement discussions and mutually seek to focus their respective resources on timely reaching a class resolution;

THEREFORE, Plaintiff and Wells Fargo hereby agree as follows:

## **1. Class Notice:**

a. To extend the deadline to submit a joint proposal for class notification from Tuesday, July 12, 2016 to Tuesday, August 23, 2016;

1                   b. To extend the target date to distribute notice from Thursday, July 28, 2016 to  
2                   Thursday, September 8, 2016.

3                   2. Wells Fargo's Motion for Summary Judgment:

4                   a. Wells Fargo's Motion for Summary Judgment [Dkt. 65] shall be set for  
5                   hearing on November 3, 2016;  
6                   b. Plaintiff's Opposition shall be filed by September 29, 2016;  
7                   c. Wells Fargo's Reply shall be filed by October 13, 2016.

8                   3. Other Pretrial Deadlines:

9                   a. The non-expert discovery cut-off shall be continued from Wednesday, August  
10                  31, 2016 to Wednesday, September 28, 2016;  
11                  b. The expert deadlines set in paragraph 5 of the Court's Scheduling Order [Dkt.  
12                  37] shall be continued by 28 days, such that the last date for designation of  
13                  expert testimony and disclosure of expert reports on issues where a party has  
14                  the burden of proof shall be continued from August 31, 2016 to September 28,  
15                  2016. Opposition and reply report deadlines, expert discovery cutoff, and  
16                  other deadlines in Paragraphs 5 and 6 (damages studies) of the Scheduling  
17                  Order are triggered off the September 28, 2016 opening report date as  
18                  indicated in the Court's Scheduling Order;  
19                  c. The remaining dates in the Court's Scheduling Order, including the  
20                  September 29 deadline to file dispositive motions; November 3, 2016 deadline  
21                  to hear dispositive motions, November 30, 2016 pretrial conference, and  
22                  December 5, 2016 trial date, remain as set by the Court.

23                  **IT IS SO STIPULATED.**

24                  DATED: July 1, 2016

REED SMITH LLP

26                  By: /s Ashley Shively

27                  Ashley L. Shively

28                  Attorneys for Defendant

Wells Fargo Bank, N.A.

1 DATED: July 1, 2016

WOLF POPPER LLP

2 By: /s/ Patricia Avery

3 Patricia I. Avery (*pro hac vice*)

4 Matthew Insley-Pruitt (*pro hac vice*)

Counsel for Plaintiff and the Class

5 BERMAN DEVALERIO

6 Joseph J. Tabacco, Jr.

7 Kristin J. Moody

Local Counsel for Plaintiff and the Class

8 PURSUANT TO STIPULATION, IT IS SO ORDERED

9  
10 Dated July 1, 2016



11 WILLIAM H. ALSUP

12 UNITED STATES DISTRICT JUDGE